

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ERIK SHEEHAN,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC.

Defendant.

Civil Action No. 04 CV 12364 JGD

**JOINT MOTION TO EXTEND THE SUMMARY JUDGMENT DEADLINE**

The Plaintiff Erik Sheehan (“Sheehan”) and the Defendant Verizon Communications, Inc. (“Verizon”) hereby jointly move to extend the deadline for filing motions for summary judgment for one month (from January 31, 2006 until March 2, 2006) in order to allow the parties time to engage in settlement negotiations. In support of this Motion, the parties hereby state the following:

1. At the hearing on the Plaintiff’s Motion to Compel further discovery from Verizon on January 3, 2006, the parties discussed with the Court the possibility of mediating the case through the Court’s ADR program. At that hearing, the Court indicated that if the parties agreed to mediate the case, the Court would be amenable to a reasonable extension of the deadline for filing motions for summary judgment, currently set for January 31, 2006 pursuant to the Scheduling Order in this case (“Summary Judgment Deadline”).

2. As a result of those discussions, the Court ordered the Plaintiff to report to the Court on his position on mediation by January 14, 2006. The Plaintiff complied with that Order by indicating that settlement negotiations had commenced and that the Plaintiff’s decision on

mediation was dependent upon the status of the settlement negotiations. Therefore, the Court issued a second Order on January 17, 2006, requiring the parties to report to the Court by January 30, 2006 on whether court sponsored ADR should be scheduled.

3. In the interim, the parties have engaged in direct, good faith settlement negotiations in an effort to resolve this matter without the need for further motion practice, court sponsored ADR or a trial. Those negotiations are continuing and progressing. Therefore, at this time, it is not an efficient use of the parties' (or the Court's) time and resources to draft and file motions for summary judgment to be heard by the Court.

4. Therefore, the parties jointly request that the Summary Judgment Deadline be extended by thirty (30) days (from January 31, 2006 to March 2, 2006) in order to allow the parties the necessary time to determine if this matter can be resolved without incurring the costs associated with a motion for summary judgment.

5. Pursuant to the Court's January 17, 2006 Order, the parties will report to the Court on January 30, 2006 regarding whether court sponsored ADR should be scheduled.

6. This Joint Motion is not made for the purpose of interposing delay, and is in the interest of justice and the efficient use of the parties' (and the Courts') resources. Neither party will be prejudiced given the assent of both parties to this Motion.

7. Wherefore, the parties request that their Joint Motion to Extend the summary judgment deadline be granted.

Dated: January 25, 2006

**ASSENTED AND AGREED TO BY:**

ERIK SHEEHAN  
By his attorneys,

VERIZON COMMUNICATIONS, INC.  
By its attorneys,

/s/ Paul Tuttle  
Dominic Finelli  
Paul Tuttle  
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/s/ Windy L. Rosebush  
Timothy P. Van Dyck  
Windy L. Rosebush  
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617-239-0100

**CERTIFICATE OF SERVICE**

I, Windy L. Rosebush, hereby certify that on January 25, 2006, I caused a copy of the foregoing document to be served electronically on Plaintiff's counsel, Paul Tuttle.

/s/ Windy L. Rosebush